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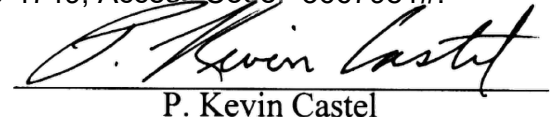
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February 16, 2022

BY ECF

Honorable P. Kevin Castel
United States District Court Judge
Southern District of New York
500 Pearl St.
New York, New York 10007

Time to respond extended to April 18, 2022.
Initial conference is adjourned from April 1, 2022
to May 6, 2022 at 10:30 a.m. The conference will
proceed telephonically. Call-in information is:
Dial-In No.: 1-888-363-4749, Access Code: 3667981#.
SO ORDERED.
Dated: 2/23/2022



P. Kevin Castel

Re: Pastor Aden Rusfeldt v. City of New York, et. al., United States District Judge
22-CV-594 (PKC)

Your Honor:

I am an Assistant Corporation Counsel in the office of Georgia M. Pestana, Corporation Counsel of the City of New York (the "Office"), and the attorney assigned to the defense of the above-referenced matter on behalf of defendants the City of New York (the "City"), former Police Commissioner Dermot Shea, and Police Commissioner Keechant Sewell to respectfully request a sixty day enlargement of time, from February 16, 2022 to April 18, 2022, to answer or otherwise respond to the complaint. Further, I write to request a corresponding adjournment of the initial conference scheduled for April 1, 2022 at 11:00 a.m to a date after defendants have answered. Plaintiff's counsel only consents to a 45 day extension of time until April 4, 2022 and an adjournment of the initial conference until the week of April 4, 2022 because plaintiff's counsel believes a sixty day extension is excessively long. This is defendant's first request for an enlargement of time and to adjourn the initial conference.

By way of brief background, plaintiff alleges, *inter alia*, that he was subjected to deprivation of freedom of speech, deprivation of free exercise of religion, unreasonable seizure, deprivation of equal protection, and deprivation of due process stemming from incidents that occurred on June 27, 2021 in connection with plaintiff's protest activity. (See Complaint, Dkt. No. 1). Before we can adequately respond to the complaint, we will need to conduct an investigation into the facts of the case. This Office still needs the executed authorization for the release of the June 27, 2021 arrest. An enlargement of time will allow this Office time to receive the executed authorization for the release of the June 27, 2021 arrest from plaintiff and forward the authorization with a request for records to the appropriate agencies. In order to respond to the allegations contained in the complaint, defendants must obtain records of the underlying

criminal cases including Police, Criminal Court and District Attorney's records. It is our understanding that these records may be sealed pursuant to New York Criminal Procedure Law § 160.50. Defendants cannot properly assess this case or respond to the complaint without these records. Accordingly, defendants require this enlargement so that this Office may obtain the underlying documentation, properly investigate the allegations of the complaint and fulfill our obligations under Rule 11 of the Federal Rules of Civil Procedure.

In addition, defendants require an adjournment of the initial conference so that this Office may secure the underlying relevant documents which will enable us to participate effectively in the conference and to intelligently discuss the matters required under Rule 16 of the Federal Rules of Civil Procedure.

In view of the foregoing, it is respectfully requested that the Court grant the within requests. Thank you for your consideration herein.

Respectfully submitted,

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Josh Dixon
Counsel for Plaintiff